

Dear WebSurv/EpiTrax User,

As you are likely aware, DHSS is introducing a new disease surveillance system, EpiTrax, this week. As discussed on a recent LPHA call, we will also implement an EpiTrax user agreement. The purpose of this agreement is to ensure that all EpiTrax users are aware of the acceptable and unacceptable uses of the system and the information contained within it. **Please note that we are sending this only for input and collaboration at this time and that we will send a final version out in early September for signatures.**

The long-term plan for this agreement is that any new users will be asked to complete it prior to being granted EpiTrax access. However, due to the short timeframe for implementing EpiTrax, we have not had an opportunity to share the agreement with LPHA partners for feedback. Therefore, we will follow this process to adopt the agreement:

- For the time being, DHSS will migrate current WebSurv users to EpiTrax and will also add any new users without requiring the agreement.
- We ask that LPHAs review the agreement (attached) and provide any feedback by August 31, 2020.
- After DHSS reviews any LPHA feedback, a final version of the EpiTrax user agreement will be prepared and distributed to LPHAs for electronic completion.
- DHSS will set a date (to be determined and with adequate advance notice to LPHAs) on which the EpiTrax user agreement will take effect. As of that effective date, any users who have not completed the agreement will have access revoked, and any new users will be required to complete the agreement before access will be granted.
- The first version of the EpiTrax user agreement will be in place from the designated effective date (to be determined) through 2021. Afterward, it will be renewed annually with input from users and the DHSS Office of General Counsel.

Please provide any feedback on the EpiTrax user agreement in writing to Becca.Mickels@health.mo.gov with the subject line EPITRAX USER AGREEMENT by August 31, 2020. Thank you for your assistance in refining the user agreement.



Missouri Department of Health and Senior Services
Section for Disease Prevention
EpiTrax User Access and Security Agreement 2020

This user agreement shall be completed before access to EpiTrax is granted and at the beginning of each calendar year thereafter. Access to EpiTrax and the data within EpiTrax is conditioned upon and pursuant to the following terms and conditions:

- Your access to EpiTrax will be based upon your public health role as determined by your agency.
- The data and information in EpiTrax shall be used “only for investigation to determine the source of exposure and/or potential for spread; follow-up screening to monitor disease, exposure status, or communicability; counseling and patient education regarding the disease or condition and its prevention; administration of immunizations and/or prophylactic medications to the case or contacts; isolation and/or restriction of the client’s or contact’s activities; environmental assessment and other activities undertaken to eliminate the source of exposure; or epidemiologic analysis to determine trends in incidence, prevalence, treatment, disease progression, and/or risk factors associated with diseases” (19 CSR 20-20.075(2)).
- The data and information in EpiTrax “shall be released only in a statistical aggregate form that precludes and prevents the identification of an individual, physician, or medical facility except when such release is specifically authorized by law” (19 CSR 20-20.075(3)). Individuals with access to EpiTrax “shall abide by [Missouri Department of Health and Senior Services (DHSS)] policies and procedures for access to and use of information systems” (19 CSR 20-20.075(4)). The data suppression guidelines utilized by the DHSS Bureau of Reportable Disease Informatics are included in Appendix A of this agreement. **If I think there is a need to release data that would be suppressed by these guidelines, I shall contact the DHSS Bureau of Reportable Disease Informatics (BRDI) at 573-526-5271 or DHSS.DCPH-SDP-BRDIAnalysts@state.mo.us to discuss options before such information is released.**
- Confidence in the public health system’s ability to maintain confidentiality may be negatively affected should you fail to follow the terms set forth in this agreement.

I agree to the following:

- I am responsible for all actions associated with my EpiTrax username and password and shall be held accountable for any improprieties regarding their use according to federal and state laws and regulations as well as DHSS policies. I will not share my EpiTrax username and password with any other individual or entity at any time and will always protect my password from disclosure to others.
- The Missouri Code of State Regulations (CSR) states: “Information from patient medical records received by local public health agencies or the Department of Health and Senior Services in compliance with this rule is to be considered confidential records and not public records” (19 CSR 20-20.020(10)). Through EpiTrax I have access to patient medical records and other data that are sensitive, confidential, protected health information or are otherwise protected from disclosure to unauthorized individuals. To ensure the integrity, security, and confidentiality of EpiTrax information and data, I agree to treat all

information and data as highly sensitive, confidential, and protected from unauthorized disclosure. I understand that state and federal statutes and regulations require confidentiality of information and provide penalties for unauthorized access, use, and/or disclosure of information. Violations or disclosures on my part may result in disciplinary action as well as suspension or dismissal from the system and/or court action. I agree to keep confidential all information made available to me in the performance of my official duties.

- I agree to access information for only those individuals who have an epidemiological link to a reportable condition that occurs within my agency's geographic jurisdiction.
- I will log off EpiTrax or lock my computer or device when leaving my workstation in order to prevent unauthorized use. I will ensure the data and information on my screen are not visible to passersby or unauthorized individuals through appropriate positioning of my monitor and/or use of privacy screens.
- I have discussed my requested EpiTrax role with my supervisor and understand that while I may have access to a variety of data, I will only view, enter, change, delete, or add any data to EpiTrax or related files that fall within my job responsibilities.
- I will not knowingly make or permit a false, inaccurate, or misleading entry in any EpiTrax record or report.
- I will not make or permit unauthorized use of any information in the EpiTrax data application.
- If I have access to enter information into EpiTrax, I will adhere to national case definitions and DHSS guidance regarding entry of cases. Repeated failure to enter cases correctly after notification from DHSS may result in removal of my data entry role.
- I have read, understand, and agree to abide by the following sections in the Missouri Code of State Regulations (<https://www.sos.mo.gov/cmsimages/adrules/csr/current/19csr/19c20-20.pdf>): 19 CSR 20-20.020(10) related to the confidentiality of patient medical records and 19 CSR 20-20.075 related to confidentiality requirements for local public health agencies.
- I have read, understand, and agree to abide by the following sections of the Revised Statutes of Missouri (RSMo) (<https://revisor.mo.gov/main/Home.aspx>) which give authority to the regulations described previously:
 - §167.183 relates to disclosure of immunization records and liability for civil damages due to unauthorized release;
 - §191.656 relates to disclosure of HIV records and civil action for damages;
 - §192.006 relates to rulemaking authority of the Department of Health and Senior Services;
 - §192.020 establishes the duty of the Department of Health and Senior Services to safeguard the health of the people in Missouri, study the causes and prevention of diseases, designate diseases as reportable, and make orders, findings, rules, and regulations with approval of the director of the Department;
 - §192.067 authorizes the Department of Health and Senior Services to receive information from patient medical records; requires the Department to maintain confidentiality of all medical record information abstracted by or reported to the Department, including releasing information only in a statistical aggregate form that prevents identification of a patient, physician or provider except with other public health authorities and coinvestigators of a health

study that abide by the same confidentiality restrictions as the Department; and establishes the knowing release of information in violation of this section as a class A misdemeanor;

- §210.040 regarding confidentiality of syphilis and hepatitis B blood test results for pregnant women and new mothers;
 - §210.050 regarding reporting of blood tests for syphilis and hepatitis B when births and stillbirths are reported; and
 - §701.328 requires DHSS to protect the identity of the patient and physician involved in reporting lead poisoning and establishes that these identities can only be released upon written consent of the patient or provider, respectively.
- I shall notify the **DHSS BRDI Data Analysis and Reporting Team at 573-526-5271** or DHSS.DCPH-SDP-BRDIAnalysts@state.mo.us of any proposed uses of EpiTrax data or information that fall outside the scope of my regular and routine duties.
 - Prior to releasing any data or information from EpiTrax publically, I shall contact the **DHSS BRDI Data Analysis and Reporting Team at 573-526-5271** or DHSS.DCPH-SDP-BRDIAnalysts@state.mo.us to discuss this proposed data release and obtain feedback on how best to utilize the data while protecting the confidentiality of individuals.
 - STD Roles: If I have access to a EpiTrax STD role, I understand that case follow-up for HIV, syphilis, gonorrhea, and chlamydia are primarily the responsibility of DHSS and a limited number of local public health agencies (LPHAs) that have contracted with DHSS to provide these services. I agree that I shall not contact individuals with HIV, syphilis, gonorrhea, and chlamydia for case follow-up unless I am contracted to do so. If I think there is a need for me to contact an individual with one of these conditions, I shall first reach out to the **DHSS Bureau of HIV, STD, and Hepatitis at 573-751-6439** in order to coordinate these efforts appropriately.
 - If I know or suspect that a breach of EpiTrax data or information has occurred, I shall immediately report this event through my agency's processes and also immediately notify **DHSS BRDI at 573-526-5271**.
 - For more guidelines related to disease data security and confidentiality, please refer to [https://www.cdc.gov/nchhstp/programintegration/docs/PCSI DataSecurityGuidelines.pdf](https://www.cdc.gov/nchhstp/programintegration/docs/PCSI%20DataSecurityGuidelines.pdf).

Printed Name: _____

Signature: _____

Date Signed: _____

Agency: _____

EpiTrax Username: _____

Appendix A: Data Suppression Guidelines

- For release of aggregate counts at the geographic level of region or above, no numerator or denominator suppression rules are required.
- For release of aggregate counts at the county level, utilize the following suppression rules:
 - No numerator or denominator suppression is required if generating total disease counts within a county (i.e., total disease counts not stratified by other unique characteristics, such as demographic characteristics).
 - If creating a two-way (or larger) stratification (e.g., generating counts by race within a county), the following suppression must be applied.
 - If the population size (i.e., denominator) at the stratification level is less than 100, the data shall be suppressed. Replace the values with "SUPPRESS".
 - If the number of cases (i.e., numerator) is between one and four, the data shall be suppressed. Replace the small cell values with "<5".
 - Secondary suppression may be required to avoid identification of the specific value in a suppressed cell based on the other information provided. For example, if the number of cases by race in County A is provided and only one race category has a value that is between one and four and is subsequently suppressed, the reader could use reverse calculation to determine the number of cases in the suppressed race category. Therefore, the suppressed value and the next two smallest values must be replaced with "SUPPRESS" to avoid potential identification of the small cell value. For example:

| Race Category | Original Data | Suppressed Data | Data After Secondary Suppression |
|---------------------------|---------------|-----------------|----------------------------------|
| Race 1 | 20 | 20 | SUPPRESS** |
| Race 2 | 150 | 150 | 150 |
| Race 3 | 170 | 170 | 170 |
| Race 4 | 4 | <5* | SUPPRESS** |
| Race 5 | 12 | 12 | SUPPRESS** |
| Total Counts for County A | 356 | 356 | 356 |

*Note that the reader can subtract the values for Race 1, Race 2, Race 3, and Race 5 from the Total Count for County A to calculate the value for Race 4.

**The small cell value and the next two smallest values are suppressed to avoid identification of the value for Race 4.

- Counts of zero may be displayed.
- For release of aggregate counts at geographic levels smaller than the county level (e.g., Zip code, census tract, etc.), suppression must be applied regardless of the data provided (i.e., total case counts or counts stratified by other unique characteristics):
 - If the denominator at the stratification level is less than 100, the data must be suppressed. Replace the values with "SUPPRESS".
 - If the numerator is between one and four, the data must be suppressed. Replace the small cell values with "<5".
 - Secondary suppression may be required to avoid identification of the specific value in a suppressed cell based on the other information provided. See above example table for additional information.

- Counts of zero may be displayed.
- The denominator minimum threshold may be increased if deemed necessary on a case-by-case basis. For example, the population of the smallest county in Missouri is approximately 2,000; therefore, depending on the nature of the request, it may be determined that data with a denominator of less than 2,000 should be suppressed instead of the general rule of 100. Contact the **DHSS BRDI Data Analysis and Reporting Team** at 573-526-5271 or DHSS.DCPH-SDP-BRDIAnalysts@state.mo.us for questions about data suppression.

